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February 27, 2008

*Via ECFS*

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W., Suite TW-A325  
Washington, D.C. 20554

**Re: EB Docket No. 06-36 – Annual CPNI Compliance Certification**

Dear Secretary Dortch:

SunCom Wireless, Inc. (“SunCom”), by its attorneys and pursuant to the Commission’s January 29, 2008, *Public Notice* issued in the above-referenced proceeding (DA 08-171), hereby submits the attached CPNI Compliance Certification together with the accompanying “Statement Regarding SunCom Wireless, Inc., Customer Proprietary Network Information Operating Procedures.”

The attached Compliance Certification and accompanying Statement pertain to the period beginning January 1, 2007, and ending December 7, 2007. SunCom respectfully requests that the Commission associate this filing with the Compliance Certification and accompanying Statement submitted by SunCom in this docket on February 21, 2008. That submission pertained to SunCom’s compliance with the Commission’s CPNI rules for the period beginning December 8, 2007, and ending December 31, 2007. SunCom notes that each of its Compliance Certifications, which together cover the entire 2007 calendar year, were executed prior to February 22, 2008, the date on which T-Mobile USA, Inc., effectuated its acquisition of SunCom.

Consistent with the requirements of the *Public Notice*, two copies of this submission are being delivered via U.S. mail to the Enforcement Bureau and one copy will be transmitted via e-mail to the Commission’s copy contractor, Best Copy and Printing, Inc.

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Kindly address any questions concerning this submission to the undersigned.

Respectfully submitted,

  
Yaron Dori

cc: Marcy Greene (Enforcement Bureau) (via U.S. Mail)  
Best Copy and Printing, Inc. (via e-mail)  
Kathleen Ham (T-Mobile USA, Inc.)  
Joan Alexander (SunCom Wireless, Inc.)

**SUNCOM WIRELESS, INC.  
CPNI COMPLIANCE CERTIFICATE**

This certificate is provided pursuant to 47 C.F.R. § 64.2009(e) for the period from January 1, 2007, to December 7, 2007.

I, Eric Haskell, Executive Vice President and Chief Financial Officer, of SunCom Wireless, Inc. ("SunCom"), hereby certify that, to the best of my personal knowledge, based on personal information and inquiry, SunCom has established operating procedures designed to ensure compliance with the Federal Communications Commission Customer Proprietary Network Information ("CPNI") rules contained in 47 C.F.R. §§ 64.2001 *et seq.*

The accompanying "Statement Regarding SunCom Wireless, Inc., Customer Proprietary Network Information Operating Procedures" explains how SunCom's operating procedures during the certification period were designed to ensure compliance with the CPNI rules.

A handwritten signature in black ink, appearing to read "Eric Haskell", is written over a horizontal line.

**Eric Haskell, EVP and CFO**  
SunCom Wireless, Inc.

Date: February 1, 2008

**STATEMENT REGARDING SUNCOM WIRELESS, INC.**  
**CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)**  
**OPERATING PROCEDURES**

**February 1, 2008**

SunCom Wireless, Inc. ("SunCom" or "Company") provides this statement pursuant to 47 C.F.R. § 64.2009(e) to explain how SunCom's operating procedures were designed to ensure compliance with the Federal Communications Commission's ("Commission") CPNI rules for the period from January 1, 2007, to December 7, 2007.

**Customer Approval to Use, Disclose, or Permit Access to CPNI**

SunCom does not use, disclose, or permit access to its customers' CPNI except as such use, disclosure, or access is permitted without customer approval, or as otherwise provided in Section 222 of the Communications Act of 1934, as amended. Accordingly, the customer notice and associated record-keeping requirements of the Commission's CPNI rules are not applicable. Should SunCom change its policies such that the use, disclosure, or permitted access to CPNI requires customer approval, appropriate customer notice, record-keeping, and FCC notification practices will be implemented.

Consistent with the Commission's rules, although SunCom does not necessarily engage in each of the following activities, SunCom's policies permit it to use, disclose, or permit access to CPNI without customer approval for the purpose of:

- providing or marketing service offerings among the categories of service (*i.e.*, CMRS) to which the customer already subscribes without customer approval;
- provisioning CPE and information service(s);
- conducting research on the health effects of CMRS;
- marketing services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain centrex features;

- protecting the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services; and
- as otherwise permitted in Section 222 of the Communications Act of 1934, as amended.

#### **Notice of CPNI Rights**

As explained above, SunCom does not use, disclose, or permit access to its customers' CPNI except as permitted without customer approval, or as otherwise provided in Section 222 of the Communications Act of 1934, as amended. Therefore, SunCom is not required to provide customer notice regarding CPNI rights as prescribed in the Commission's rules. Should SunCom change its policies such that customer notice is required, such notice will be provided.

#### **Record Retention for Marketing Campaigns**

SunCom maintains records of sales and marketing campaigns that use CPNI. Records include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. SunCom maintains such records for at least one year.

#### **Reporting Opt Out Failures**

SunCom's policy is not to use, disclose, or permit access to its customers' CPNI except as permitted without customer approval under the Commission's rules or as otherwise provided in Section 222 of the Communications Act of 1934, as amended. Should SunCom change its policies and seek customer approval to use, disclose, or permit access to CPNI, SunCom will provide written notice of opt-out failures to the Commission within five business days as specified in the Commission's rules.

#### **Supervisory Review Process**

SunCom has a supervisory review process that governs its use of CPNI. As a general matter, employees must receive permission from their supervisors or other authorized personnel before using or disclosing CPNI for sales or marketing purposes.

#### **Safeguarding CPNI**

SunCom takes the privacy and security of CPNI seriously. In addition to its internal policies, which are designed to ensure compliance with the Commission's CPNI Rules, SunCom publishes online its Terms & Conditions of service, which

explains how SunCom uses, discloses, and protects customer information, including CPNI, consistent with applicable law.

### **Privacy and Security**

SunCom has implemented numerous controls to ensure compliance with the FCC's CPNI rules. For example, SunCom has in place a team of employees whose responsibilities focus on, among other things, CPNI protection and compliance. Additionally, CPNI released to SunCom's sales agents is specifically protected from disclosure through confidentiality provisions contained in SunCom's dealer agreement with its agents. SunCom agents must protect CPNI in their possession from unauthorized disclosure and must advise their employees, sub-agents, and similar individuals of their obligation to protect CPNI. Additionally, the confidentiality provisions of the dealer agreement by their terms survive any termination of the dealer agreement. SunCom also undertakes other privacy precautions through its electronic data retention policy, such as removing historical billing information from its central customer database after a certain period of time.

### **Employee Training Program**

SunCom provides Company-wide training to educate and train its personnel regarding the confidentiality of customer information, including authorized and unauthorized uses of CPNI. As part of their training, employees are provided with a document titled "CPNI 101," which explains CPNI and SunCom's policies regarding the proper use and safeguarding of CPNI. Employees must acknowledge that they have read the training document. In addition, all SunCom employees must affirmatively acknowledge, on an annual basis, that they have received and agree to abide by SunCom's Professional and Business Code of Conduct, which is incorporated as part of the employee handbook. The Code of Conduct explains that all customer information, including CPNI, must be maintained in the strictest of confidence and may not be disclosed except as authorized and necessary when performing duties for SunCom.

### **Employee Discipline Program**

SunCom has a disciplinary process in place to address noncompliance with Company policies, including policies concerning employee use of, access to, and disclosure of CPNI. An employee found to have violated SunCom's policies, including policies relating to use of, access to, and disclosure of CPNI, is subject to disciplinary action up to and including termination.